

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

RLL-447US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/576,410

INTERNATIONAL APPLICATION NO.

PCT/IB2004/003487

INTERNATIONAL FILING DATE

22 October 2004

PRIORITY DATE CLAIMED

22 October 2003

TITLE OF INVENTION

PROCESS FOR THE PREPARATION OF AMORPHOUS ROSUVASTATIN CALCIUM

APPLICANT(S) FOR DO/EO/US

KUMAR et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (25) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ An Application Data Sheet under 37 CFR 1.76.
18. ☐ A substitute specification.
19. ☐ A power of attorney and/or change of address letter.
20. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
21. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
22. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
23. ☒ Express Mail Label No. EV 919465080 US

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/576,410	INTERNATIONAL APPLICATION NO. PCT/IB2004/003487	ATTORNEY'S DOCKET NUMBER RLL-447US																									
24. Other items or information: Certificate of Express Mailing Return Postcard																											
The following fees have been submitted: 25. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)). \$300 26. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200 27. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500 TOTAL OF 25, 26 and 27 =		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE</th> </tr> </thead> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> </tbody> </table>		CALCULATIONS		PTO USE	\$	\$0.00		\$	\$0.00		\$	\$0.00		\$	\$0.00		\$	\$0.00		\$	\$0.00		\$	\$0.00	
CALCULATIONS		PTO USE																									
\$	\$0.00																										
\$	\$0.00																										
\$	\$0.00																										
\$	\$0.00																										
\$	\$0.00																										
\$	\$0.00																										
\$	\$0.00																										
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width: 15%;">RATE</th> </tr> </thead> <tbody> <tr> <td>31 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> </tbody> </table>		Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	31 - 100 =	0 /50 =	0	x \$250.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00														
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE																								
31 - 100 =	0 /50 =	0	x \$250.00																								
\$	\$0.00																										
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =	0	x	Independent claims	- 3 =	0	x	<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> <tr> <td>\$</td> <td>\$0.00</td> <td></td> </tr> </tbody> </table>		\$	\$0.00		\$	\$0.00							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																								
Total claims	- 20 =	0	x																								
Independent claims	- 3 =	0	x																								
\$	\$0.00																										
\$	\$0.00																										
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> +		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
TOTAL OF ABOVE CALCULATIONS =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
SUBTOTAL =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
TOTAL NATIONAL FEE =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
TOTAL FEES ENCLOSED =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;">\$</td> <td style="width: 50%;">\$0.00</td> <td style="width: 40%;"></td> </tr> </tbody> </table>		\$	\$0.00																						
\$	\$0.00																										
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 10%;"></td> <td style="width: 50%;">Amount to be</td> <td style="width: 40%;">\$</td> </tr> <tr> <td></td> <td>Amount to be</td> <td>\$</td> </tr> </tbody> </table>			Amount to be	\$		Amount to be	\$																		
	Amount to be	\$																									
	Amount to be	\$																									

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0912 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0912. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

ADVISORY: If filing by EFS-Web, do **NOT** attach the PTO-2038 form as a PDF along with your EFS-Web submission.
Please

be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Jayadeep R. Deshmukh

Reg. No. 34,507

Customer No. 26815

William D. Hare

SIGNATURE

William D. Hare

NAME

44,739

REGISTRATION NUMBER

March 19, 2007

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KUMAR *et al.*

International Application No. PCT/IB2004/003487

U.S. Application No.: 10/576,410

International Filing Date: 22 October 2004

Title: PROCESS FOR THE PREPARATION OF AMORPHOUS
ROSUVASTATIN CALCIUM

CERTIFICATE OF EXPRESS MAILING

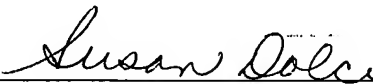
I hereby certify that the following correspondence:

- Transmittal Letter to the US/DO/EO Concerning a Filing Under 35 USC 371
- Transmittal of Information Disclosure Statement
- Information Disclosure Citation with references
- Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 19, 2007.

Susan Dolci

Name of Person Mailing Correspondence



Signature

EV 919465080 US

"Express Mail" Mailing Label Number